

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

Re: ECF No. 17522

**JOINT INFORMATIVE MOTION REGARDING URGENT MOTION REQUESTING A
RULING OR ENTRY OF COMFORT ORDER
AS TO THE NON-APPLICABILITY OF THE AUTOMATIC STAY
TO A LIMITED CONTROVERSY WITH THE COMMONWEALTH
OF PUERTO RICO ARISING POST-PETITION AND HAVING
POST-PETITION EFFECTS BUT PARTIALLY BASED ON A PRE-PETITION
JUDGMENT INCORPORATING MILK REGULATIONS ESTABLISHED BY
THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO
RICO AND NOT INVOLVING PROPERTY OF THE DEBTOR OR ITS ESTATE**

Pursuant to the Court's *Order Regarding Procedures for August 4-5, 2021, Omnibus Hearing* [Case No. 17-BK-3283, ECF No. 17522], Suiza Dairy Corp. ("Suiza") and the Commonwealth of Puerto Rico through the Department of Justice (the "DOJ") and together with Suiza, the "Parties").

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Building Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS). (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

1. The Parties hereby inform the Court, and to the extent the Court agrees as well, that the matter in connection with the *Urgent Motion Requesting A Ruling Or Entry Of Comfort Order As To The Non-Applicability Of The Automatic Stay To A Limited Controversy With The Commonwealth Of Puerto Rico Arising Post-Petition And Having Post-Petition Effects But Partially Based On A Pre-Petition Judgment Incorporating Milk Regulations Established By The United States District Court For The District Of Puerto Rico And Not Involving Property Of The Debtor Or Its Estate* [ECF No. 17166] (the “Motion”), as well as any and all objections, responses, statements, joinders and replies to the Motion be deemed as submitted to be resolved by the Court on the papers, without the need for a hearing.

2. To the extent the Court intends to hear arguments in connection with the Motion, the Parties will appear telephonically at the August 4-5, 2021, hearing (the “Hearing”).

3. The following individuals may appear to speak on behalf of the parties:

a. Suiza: Rafael Escalera Rodríguez

Christopher Dávila Rodríguez

b. DOJ: Edward W. Hill-Tolinche

4. The Parties understand the Court has allocated 5 minutes for a hearing on the Motion. The Parties have agreed to allocate such time as follows, listed in the order in which the Parties will present:

a. Suiza’s Opening Argument: 2 minutes

b. Commonwealth’s Argument: 2 minutes

c. Suiza’s Rebuttal: 1 minute

WHEREFORE, the Parties respectfully request that the Court take notice of the above.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on July 30th, 2021.

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties in the case.

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